

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Lifeline and Link Up Reform and)	WC Docket No. 11-42
Modernization)	
)	
Telecommunications Carriers Eligible for)	WC Docket No. 09-197
Universal Service Support)	
)	
Connect America Fund)	WC Docket No. 10-90
)	

**Reply Comments of
Communications Workers of America
American Federation of Labor-Congress of Industrial Organizations**

Brian Thorn
Debbie Goldman
George Kohl
501 Third St., N.W.
Washington, D.C. 20001
(202) 434-1194 (phone)
(202) 434-1201 (fax)
dgoldman@cwa-union.org

Communications Workers of America

September 30, 2015

William Samuel
815 16th St., N.W.
Washington, D.C. 20005
(202) 637-5000

*American Federation of Labor-
Congress of Industrial Organizations*

The Communications Workers of America (“CWA”) and the AFL-CIO submit these joint Reply Comments to supplement our initial comments in support of the Commission’s proposal to modernize the Lifeline program to support broadband services for low-income households.¹ There is a broad consensus from a wide variety of organizations, including civil rights groups,² public interest and consumer organizations,³ education advocates and library associations,⁴ state regulatory commissions,⁵ and telecommunications companies⁶ that high-speed broadband service is essential for full participation in economic, political, and social life; that too many low-income households cannot afford broadband services; and, therefore, that the Commission has the statutory authority and the public interest obligation to update the Lifeline program to provide subsidies to assist low-income households in purchasing broadband services. A wide variety of commentators concur with the five core principles for Lifeline reform articulated by the Leadership Conference on Civil and Human Rights – universality, excellence, choice and competition, innovation, and accountability⁷ – and support CWA/AFL-CIO recommendations articulated in our initial comments, and reiterated below, for restructuring the program to support broadband.

¹ See Comments of Communications Workers of America and the American Federation of Labor-Congress of Industrial Organizations, WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015 (“Comments of CWA/AFL-CIO”).

² See Comments of Leadership Conference for Civil and Human Rights, Comments of National Association for the Advancement of Colored People, Comments of National Hispanic Media Coalition, WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015.

³ See Comments of AARP, Comments of Common Cause, Comments of Consumer Action, Comments of Free Press, Comments of Greenlining Institute et al., Comments of National Consumer Law Center et al., Comments of Open Technology Institute, Comments of Public Knowledge, and Comments of Rural Broadband Policy Group, WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015.

⁴ See Comments of American Library Association, Comments of Common Sense Kids Action, Comments of Education & Libraries Networks Coalition, Comments of Schools, Health, & Libraries Broadband Coalition, WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015.

⁵ See Comments of Missouri Public Service Commission, Comments of Pennsylvania Public Utility Commission, WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015.

⁶ See Comments of AT&T, Comments of Cox Communications, Comments of Frontier Communications, Comments of National Cable and Telecommunications Association, Comments of Windstream Services, WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015.

⁷ See Letter from the Leadership Conference on Civil and Human Rights, to Chairman Wheeler, FCC, WC Docket No. 11-42 (filed June 10, 2015).

Service. As we noted in our initial comments, the Commission should set broadband service standards for the Lifeline program consistent with other universal service programs.

Commentators representing rural consumers concurred with our recommendation that the Connect America minimum speed benchmark of 10 Mbps downstream/1 Mbps upstream should also be the required minimum speed that carriers must provide to customers to receive Lifeline subsidies.⁸ Many commentators emphasized that inclusion of broadband as a supported Lifeline service must not sacrifice support for vital standalone voice services, including mobile voice services.⁹ Further, there is strong support for “functional requirements” to ensure that Lifeline-supported broadband services provide sufficient capacity and quality to enable consumers to apply for jobs, access digital health resources and civic materials, complete academic assignments, and access the video- and data-intensive applications on the Internet.¹⁰

Affordability. In our initial comments, we noted that the current \$9.25 per month subsidy will help reduce economic barriers to broadband adoption for low-income households, but is not likely to be sufficient to overcome the full cost of broadband service. As noted by many public interest and consumer organizations, particularly those representing low-income communities, discounted broadband options are simply not available in all communities.¹¹ Because there are many additional costs associated with broadband service, such as connection charges for fixed service and the cost of computer equipment, CWA/AFL-CIO reiterates our support for a one-time Lifeline reimbursement subsidy to cover any up-front broadband connection charges.¹² In

⁸ Comments of CWA/AFL-CIO, p. 4; Comments of Rural Broadband Policy Group, p. 17.

⁹ Comments of CWA/AFL-CIO, p. 5; Comments of Leadership Conference on Civil and Human Rights, p. 2; Comments of National Association for the Advancement of Colored People, p. 1; Comments of National Hispanic Media Coalition, p. 12.

¹⁰ Comments of CWA/AFL-CIO, p. 4-5; Comments of American Library Association, p. 10; Comments of Common Sense Kids Action, p. 5; Comments of Education & Libraries Networks Coalition, p. 5.

¹¹ Comments of Greenlining Institute et al., p. 18; Comments of National Consumer Law Center et al., p. 3; Comments of Public Knowledge, p. 31.

¹² Comments of CWA/AFL-CIO, p. 5.

addition, the Commission should monitor the cost and availability of broadband equipment and services to assess if additional support is needed to ensure real access for low-income customers.

Eligibility determination. Many commentators – in particular state regulators and telecommunications companies responsible for implementation of the Lifeline program – strongly support the establishment of a national, neutral, centralized eligibility verifier for the modernized Lifeline program.¹³ An independent, third-party verifier would protect customer security, create a more efficient enrollment verification process, and promote competition. As noted by two California consumer organizations, Consumer Action and the California Emerging Technology Fund, the Commission should look to California as a model for third party Lifeline verification.¹⁴ The third-party verifier should partner with states to centralize enrollment, verification, and reverification processes without requiring customers to provide their sensitive personal information to companies.

Budget. Many commentators, including CWA/AFL-CIO, voice strong opposition to any budgetary cap on the Lifeline program. Capping the program could depress participation and prevent eligible customers from benefiting from the program, counteracting the Commission’s goal of promoting modern services for low-income families. Numerous consumer organizations emphasize the counter-cyclical nature of the Lifeline program – growing at times of economic downturn when the ranks of the unemployed and the need for Lifeline subsidies increase.¹⁵

¹³ Comments of CWA/AFL-CIO, p. 5-6; Comments of Missouri Public Service Commission, p. 4; Comments of Pennsylvania Public Utility Commission, p. 21; Comments of AT&T, 12-13; Comments of Cox Communications, p. 4, 7; Comments of Frontier Communications, p. 7; Comments of Windstream Services, p. 7-8.

¹⁴ See Comments of California Emerging Technology Fund, in WC Docket Nos. 11-42, 09-197, 10-90, Aug. 31, 2015, p. 31; Comments of Consumer Action, p. 4.

¹⁵ Comments of Common Cause, p. 16; Comments of Public Knowledge, p. 32 (explaining: “As a program targeting low-income households, Lifeline is intended to grow as more households slide into poverty and shrink when they emerge. Establishing a limit on funding for the Lifeline program based on static economic data could cause newly eligible Americans to be turned away. Lifeline-eligible households will necessarily increase during times of economic distress, likely causing the number of Lifelines beneficiaries to rise. The Commission should not take any action that would cause newly eligible households to be refused access to Lifeline.”).

Conclusion. There is broad consensus that the FCC should modernize the Lifeline program to promote affordable broadband service. Updating the program in a way that promotes universality, excellence, choice and competition, innovation, and accountability will ensure that low-income households have access to modern communications technology. All households – including low-income households – must have access to broadband communications to ensure full participation in the 21st century economy and society.

Respectfully Submitted,

Debbie Goldman
Telecommunications Policy Director
Communications Workers of America

William Samuel
Director of Government Affairs
AFL-CIO

September 30, 2015